

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**EDWARD BUTOWSKY,**

**Plaintiff,**

**v.**

**MICHAEL GOTTLIEB, et al.,**

**Defendants.**

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**Civil Action No.: 4:19-cv-00180**

**ORDER**

Pending before the Court is Defendants Turner Broadcasting System, Inc., Anderson Cooper, Gary Tuchman, Oliver Darcy, and Tom Kludt’s (collectively, the “Turner Defendants”) Unopposed Motion to Extend Deadline to Move to Dismiss under Texas Citizens Participation Act (the “Motion”) (Dkt. 23). In the Motion, the Turner Defendants request an extension of their deadline to file a motion to dismiss pursuant to the Texas Citizens Participation Act (“TCPA”) until sixty days from the issuance of an opinion from the Fifth Circuit resolving whether the TCPA applies in federal court. *See* Dkt. 23 at 1.

Upon consideration, the Motion (Dkt. 23) is **GRANTED**.

**IT IS THEREFORE ORDERED** that the Turner Defendants’ deadline to file a motion to dismiss under the TCPA is extended until sixty days from the issuance of the mandate from a decision that resolves whether the TCPA applies in federal court in *Klocke v. Univ. of Tex. at Arlington*, No. 17-11320 (5th Cir.), *Van Dyke v. Retzlaff*, No. 18-40710 (5th Cir.), or *Star Sys. Int’l Ltd. v. Neology, Inc.*, No. 19-40553 (5th Cir.), whichever is earliest.

**IT IS SO ORDERED.**

**SIGNED this 4th day of June, 2019.**

A handwritten signature in black ink, appearing to read 'KLPJ', written over a horizontal line.

KIMBERLY C. PRIEST JOHNSON  
UNITED STATES MAGISTRATE JUDGE